

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

STEPHEN CELENTO,)	
)	
Plaintiff,)	Civil Action No. 05-478
)	
v.)	Chief Judge Ambrose
)	Magistrate Judge Caiazza
MON RIVER TOWING, INC.,)	
)	
Defendant.)	

MEMORANDUM ORDER


On April 12, 2005, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On August 25, 2006, the magistrate judge issued a Report (Doc. 22) recommending that the Defendant's Motion for Summary Judgment (Doc. 14) be denied. Service of the Report and Recommendation was made on the parties, and the Defendant filed objections on September 11, 2006. See Doc. 24.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following Order is entered:

AND NOW, on this 25th day of Sept, 2006,
IT IS HEREBY ORDERED that the Defendant's Motion for Summary
Judgment (**Doc. 14**) is **DENIED**.

The Report and Recommendation dated August 25, 2006 is
adopted as the opinion of the District Court.



Donetta W. Ambrose
Chief United States District Judge

cc:

Jonathan M. Kamin, Esq.
William R. Ellis, Esq.